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MS. SUPKO: My name is Eileen Supko. I'm a nuclear engineer. I work for Energy Resources International, a consulting company, and I provide consulting services related to spent nuclear fuel transportation, storage, disposal, economics and policy to nuclear utilities and nuclear energy organizations.

1 I'd like to make some general comments and then some specific comments on the draft environmental impact statement. [This Draft Environmental Impact Statement and the scientific characterization of Yucca Mountain in my view is anything but rush to judgment. It's been 17 years in the process. The Nuclear Waste Policy Act was passed in 1982. Under the DOE's present schedule, the repository is not scheduled to be in operation till 2010, so it will be 27 years since we passed the Nuclear Waste Policy Act. And so spent nuclear fuel from potential reactor sites and resting sites for final disposal.

This to me is not a rush. I think the scientists involved in the Yucca Mountain project have done very careful consideration of all the scientific issues, and they culminate in this environmental impact statement. It's a very comprehensive analysis of the short- and long-term environmental human health impacts of the proposed action to operate a geologic repository at that mountain. And I commend DOE and the scientists involved in the project for all of their long years of work on this project. And now it's going to be up to the policy makers to take the work that they have done and make a difficult political decision.

As we've been hearing from people in the room today, nuclear waste disposal is not a popular subject with many people. There are a lot of people who are opposed to nuclear power for whatever the reasons are. I am a nuclear engineer, as I mentioned, and I actually chose to become a nuclear engineer living in Pennsylvania after the Three Mile Island accident, because I believe that nuclear power is something that we need in the United States. Nuclear energy and nuclear technology provide a lot of benefits to the country as a whole, and while some states may not have nuclear energy and we'll have some effects related to the transportation of nuclear materials through their state, we all benefit as a whole from nuclear technology.

I'll give you a few examples. Nuclear medicine is one of the key examples. Some of the isotopes that are used in the treatment of cancer wouldn't be available if we didn't have nuclear reactors. My father is alive today because of nuclear medicine, and I hope that my sister will be alive ten years from now because of nuclear medicine.

We all have smoke detectors in our homes, which smoke detectors have radioactive sources in them. The cars that we drive, the airplanes that we fly, the welding of those machines are generally tested through nondestructive examination which involves nuclear materials. Nuclear materials touch all aspects of our lives, and we just don't realize that.

Those are my general comments. I'd like to make some specific comments related to the Draft Environmental Impact Statement.

2... Regarding the draft environmental impact statement meeting the requirements of the National Environmental Policy Act, NEPA as it's often called, it does indeed effectively satisfy the requirements of NEPA. I'm going to quote a few sections from the Nuclear Waste Policy Act regarding NEPA's application to this project.

Section 114 F states that the final environmental impact statement will accompany a recommendation to the President to approve a site for a repository. And in fact this draft is the first step in that process, and DOE will issue a final impact statement sometime later this year after they take into consideration all the comments that they're hearing today and in all the other meetings across the country.

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Compliance with the procedures and requirements of the Nuclear Waste Policy Act shall be deemed adequate consideration of the need for a repository, the time of initial availability of a repository and all alternatives, the isolation of high-level waste in spent nuclear fuel in a repository. For the purposes of complying with the requirements of NEPA and Section 114 of the Nuclear Waste Policy Act -- I know it's dry, this is a regulatory language -- the secretary need not consider alternative sites to Yucca Mountain site for the repository to be developed.

And the reason that this was put in the Nuclear Waste Policy Act to specifically limit the NEPA analysis and what DOE needed to consider in a Draft Environmental Impact Statement and the final environmental impact statement is because the federal government, DOE looked at those issues in 1980 when they issued a draft environmental impact statement and FEIS for the management of commercially generated radioactive waste. And in 1981 they issued a record decision in which the federal government opted for more geologic disposal. This is the next step in our process.

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There have also been numerous comments, and I haven't heard them at this hearing but I've read comments from other hearings relating to the department basing the repository design in the environmental impact statement when preliminary design, and they're considering alternatives to repository design.

I would say that these criticisms are without merit, as it is entirely appropriate for DOE to issue this EIS at this point in time in the Yucca Mountain decision making process. DOE needs to make clear in the DEIS, or actually the FEIS to all interested parties the distinction between NEPA documentation, which is input to a decision and design documentation, which would be the engineering work done to implement a decision. To this end, DOE needs to add a concise description of the NEPA process and the role it plays in federal decision making to the EIS summary. In doing so they should point out that it's to the advantage of all parties interested to be able to have this opportunity to provide input to the process early on before the design is finalized. In fact, DOE is talking about design alternatives right now for looking at a range of alternatives that would potentially improve repository performance, and I think that's something we would all want. If a new material is discovered or a new technique is discovered for isolating nuclear waste, we wouldn't want DOE to exclude that new technique just because they didn't consider it in the impact statement.

The purpose of NEPA analysis is to assess and bound the potential environmental effects of the proposed action. And DOE has done this, because they've analyzed three possible thermal loading scenarios which basically imply three different repository designs and the short- and long-term effects of these loading scenarios in order to bound what the design might look like, such that if they do look at other design alternatives between now and when they move forward with this project, they would have bounded those design alternatives and wouldn't need to do a supplemental environmental impact statement.

One of the things that will happen, though, is as DOE is joined in this process, the proposed action is approved and the site is recommended to the president, and in fact DOE sends a license application to the NRC, if during that point in time there have been changes to the repository design that are outside of the bounds of the environmental effects addressed in this environmental impact statement, they'll be required to do additional analysis to show what the effects are.

In summary, I'd just like to state that I think it's time to move forward with this project. As I mentioned, it's not a rush to judgment. It's been going on for 17 years. There's an awful lot of scientific work that's been done. I think the draft environmental impact statement can do a better job of summarizing those defects so that members of the public don't have to read through a table that lists 17 or so, 13 or 17 different criteria but can get a better understanding of what the bottom line is in terms of the effect of the proposed action.

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And I think it's our policy makers, who obviously are not here but hopefully will be taking into consideration all the comments that are made at these meetings, will do the right thing and the courageous thing and move forward and make a decision on the Yucca Mountain project. Thank you.